

## Exhibit 39

Francesco Gallo

3/13/2008

<p>1 Gallo 292</p> <p>2 show up anymore.</p> <p>3 Q. Okay.</p> <p>4 A. Okay.</p> <p>5 Q. All right. And have you discussed any of</p> <p>6 Mr. Oksuz' allegations with him since that meeting</p> <p>7 over coffee?</p> <p>8 A. Since that over coffee, no.</p> <p>9 Q. How many times did you see Pierandrea</p> <p>10 Galli after you became a consultant? How many times</p> <p>11 did you speak with him, let's say?</p> <p>12 A. Spoke to him quite often on the phone.</p> <p>13 Saw him, I would say, three or four times.</p> <p>14 Q. Did he make harassing remarks about your</p> <p>15 perceived sexual orientation on the times that you</p> <p>16 spoke with him on the phone?</p> <p>17 A. Well, I believe that, if that perspective,</p> <p>18 not on the phone.</p> <p>19 Q. Well, on the three or four times --</p> <p>20 A. In person.</p> <p>21 Q. The three or four times that you saw him</p> <p>22 in person, he made harassing remarks about your</p> <p>23 sexual orientation?</p> <p>24 A. I believe so, yes, but even before, even</p> <p>25 before.</p>	<p>1 Gallo 294</p> <p>2 A. Not fun. He made reference and made me</p> <p>3 feel that I was old enough to leave and that was a</p> <p>4 good thing for me to leave Alitalia.</p> <p>5 Q. Can you remember anything specific that he</p> <p>6 said to you?</p> <p>7 A. He actually was, was against, at least</p> <p>8 what he was telling me, Alitalia situation, Rome,</p> <p>9 because of political war inside and so forth. And I</p> <p>10 said, you know, good for you that if you wanted, you</p> <p>11 could tell them to go to hell or to leave.</p> <p>12 Q. Okay. Anything else that you remember?</p> <p>13 A. Not that I remember.</p> <p>14 Q. Did Mr. Galli make any harassing remarks</p> <p>15 about your citizenship after September 15th?</p> <p>16 A. Yes.</p> <p>17 Q. Mr. Galli did?</p> <p>18 A. Yes, yes, yes.</p> <p>19 Q. What did he say?</p> <p>20 A. Huh?</p> <p>21 Q. What did he say?</p> <p>22 A. Now you became another, another one, and</p> <p>23 not consider that Galli's son was born in the United</p> <p>24 States.</p> <p>25 Q. Galli's son is an American citizen?</p>
<p>1 Gallo 293</p> <p>2 Q. I'm asking only about after</p> <p>3 September 15th.</p> <p>4 A. Yeah.</p> <p>5 Q. Do you remember any remarks he made</p> <p>6 ridiculing your perceived sexual orientation?</p> <p>7 A. It was, you know, a bunch, you're a bunch</p> <p>8 of frocc, bunch of lesbian, this place is becoming,</p> <p>9 things of this nature.</p> <p>10 Q. He said that after September 15th?</p> <p>11 A. Yeah.</p> <p>12 Q. Each time he saw you, he said those</p> <p>13 things?</p> <p>14 A. Not each time, no, absolutely. Did I say</p> <p>15 that?</p> <p>16 Q. No, I'm asking, did he say it each time?</p> <p>17 A. No.</p> <p>18 Q. How about your age, did he make harassing</p> <p>19 remarks about your age in any of the communications</p> <p>20 you had with him, either in person or on the</p> <p>21 telephone?</p> <p>22 A. Yes.</p> <p>23 Q. After September 15th?</p> <p>24 A. Yes.</p> <p>25 Q. He made fun of your age?</p>	<p>1 Gallo 295</p> <p>2 A. Yes, that's what I'm saying.</p> <p>3 Q. And he made fun of you for being an</p> <p>4 American citizen?</p> <p>5 A. He said, you know, all this time, you</p> <p>6 know, buh, buh, buh, buh, buh.</p> <p>7 Q. I didn't understand that.</p> <p>8 A. You waited all this time, since I did</p> <p>9 become American citizen only in 2005.</p> <p>10 Q. You were on a green card before that?</p> <p>11 A. Yes, permanent resident, yes.</p> <p>12 Q. From 1968 until 2005?</p> <p>13 A. No, 1968, '68. '67, I believe, '67, '66.</p> <p>14 Q. You have had a green card from the late</p> <p>15 '60s until 2005?</p> <p>16 A. Yes.</p> <p>17 Q. When you became an American citizen?</p> <p>18 A. Yes.</p> <p>19 Q. And Mr. Galli made fun of you being an</p> <p>20 American citizen?</p> <p>21 A. Yes.</p> <p>22 Q. Did he tell you he didn't want you to be</p> <p>23 an American citizen?</p> <p>24 A. Sure, I wanted.</p> <p>25 Q. Oh, he did want?</p>

28 (Pages 292 to 295)

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3/13/2008

1	Gallo	296	1	Gallo	298
2	A. I wanted.		2	Q. That happened in 2003, that he said it was	
3	Q. No, the question is did he want.		3	in your imagination?	
4	A. Huh?		4	A. Right. No, no, no, also in 2005 and 2006.	
5	MR. KOCIAN: Listen to the question.		5	Q. Was Mr. Libutti a good friend of yours?	
6	THE WITNESS: I'm trying to.		6	A. No.	
7	Q. Did he oppose your being an American		7	Q. You were not friends?	
8	citizen?		8	A. Friends, but not, nothing to do at	
9	A. No, he could not oppose because he did not		9	Mr. Galli's level.	
10	have the authority to oppose.		10	Q. You weren't as close as you were with Mr.	
11	Q. I didn't ask about his authority. Did he		11	Galli?	
12	tell you that he didn't want you to be an American		12	A. No, no.	
13	citizen?		13	Q. You used to have morning coffee with him?	
14	A. No.		14	A. Every morning.	
15	Q. All right. How about your disability; did		15	Q. Whenever the two of you were in the office	
16	Mr. Galli make any harassing remarks about your		16	at the same time, you'd have coffee, right?	
17	disability after September 15th of 2005?		17	A. Yeah, he was calling me. He expected me	
18	A. Yes.		18	to go there. And if I was not going there, he would	
19	Q. He did?		19	call me on the phone.	
20	A. Yes.		20	Q. Okay. To have you come in and talk?	
21	Q. How many times?		21	A. Yes.	
22	A. On the telephone, several times.		22	Q. Didn't you have dinners together with your	
23	Q. Can you remember any remarks that he made?		23	wives present?	
24	A. That what I was telling him about the		24	A. Dinners, I believe once or twice because I	
25	retaliation and harassing behavior of Mr. Libutti		25	was forced to go.	
1	Gallo	297	1	Gallo	299
2	was in my head because I was a psychiatric		2	Q. How many times after September 15th of	
3	mental-ill person.		3	2005 did Mr. Libutti make harassing comments about	
4	Q. Mr. Galli said that?		4	your age to you?	
5	A. Yes.		5	A. Every time he had the opportunity to.	
6	Q. More than once?		6	Q. Every morning that you had coffee?	
7	A. At least twice.		7	A. No, no.	
8	Q. At least twice, okay. Were you and Mr.		8	Q. So not that often?	
9	Galli friends?		9	MR. KOCIAN: Objection.	
10	A. Very good friends.		10	A. I mean, if you want a number, I don't have	
11	Q. Very good friends. And he was saying		11	that.	
12	these terrible things to you?		12	Q. You don't have a number, okay. Do you	
13	A. Mr. Galli changed completely behavior		13	remember any specific remarks he made about your	
14	toward me when he came to, when he came back to the		14	age?	
15	United States. He created, that's what my sensation		15	A. Yeah, I believe that in one instance, even	
16	is with Libutti and some people in Rome, this plot,		16	Mr. D'Illario was present, that he referred to me as	
17	this horrible -- shall we define --		17	an old man, but seems like --	
18	Q. You said he created that when he came back		18	Q. Mr. Libutti referred to you as an old man	
19	to the United States; do you mean in 2003?		19	how many times?	
20	A. Yes.		20	A. Several times.	
21	Q. He started plotting against you then?		21	Q. Several?	
22	A. Oh, yes, probably departed from Rome with		22	A. On one occasion, Mr. D'Illario was present.	
23	that in mind because at least that's what Libutti		23	Q. How many times did Mr. Libutti make	
24	stated. That's what I asked him. And he said it		24	harassing comments to you about your perceived	
25	was my imagination.		25	sexual orientation after September 15, 2005?	

29 (Pages 296 to 299)

Francesco Gallo

3/13/2008

1	Gallo	300	1	Gallo	302
2	A. About two or three times.		2	make harassing comments to you about your	
3	Q. Okay. How about your citizenship, how		3	disabilities after September 15th?	
4	many times did he make disparaging or harassing		4	A. Many times.	
5	comments about your citizenship after September 15,		5	Q. Many times. More than five?	
6	2005?		6	A. More than five, yes.	
7	A. Well, it was making reference, I don't, I		7	Q. More than 10?	
8	don't know the number of times, but more than one		8	A. Yes.	
9	time.		9	Q. What did he say that was harassing about	
10	Q. More than 10 times?		10	your disabilities?	
11	A. Five, six times.		11	A. Making reference, you know, I don't	
12	Q. Okay. Are you aware that Mr. Libutti was		12	remember, he was talking about Sciarresi's situation	
13	interested in becoming an American citizen?		13	when he was in the mental institution. And he was	
14	A. No, he wanted his daughter.		14	saying, you know, you should have been put together.	
15	Q. Sorry?		15	He also told me that --	
16	A. He wanted to have the work permit for his		16	Q. Let me interrupt you. I only want things	
17	daughter.		17	he said after September 15, 2005.	
18	Q. He wanted a green card for his daughter?		18	A. Yes.	
19	A. Eventually green card, you don't have a		19	Q. Because Sciarresi was 2004 that he was in	
20	green card --		20	the mental institution.	
21	Q. So you're not aware that Mr. Libutti was		21	A. Yeah, but we were talking about Sciarresi,	
22	interested in becoming an American citizen?		22	not every day, but at least once a month.	
23	A. Oh, he wanted, sure, yes, he asked me.		23	Q. Okay.	
24	Q. Oh, he did?		24	A. About his case.	
25	A. Yes, he asked me, yes.		25	MR. KOCIAN: I understand, Counsel, that	

  

1	Gallo	301	1	Gallo	303
2	Q. He asked you, okay.		2	we're past the cut-off time.	
3	A. Permanent resident, no American citizen.		3	MR. KORAL: This is going to take me not	
4	I believe it's two different issues, permanent		4	five minutes. And we probably won't have to	
5	residency in the United States.		5	have a dispute.	
6	Q. So you think that he wasn't interested in		6	Q. So let me just ask you again, do you	
7	being a citizen?		7	remember any other remarks that he made that were	
8	A. He was interested in having the permanent		8	harassing about your disabilities?	
9	residence in the United States. They gave him the		9	A. Yes. Didn't feel well, you don't do this,	
10	possibility to work to him, his wife and his		10	and you could do this, you know, when you reach a	
11	children.		11	certain age, some of this disease comes from, you	
12	Q. What about citizenship?		12	know, the fact that you reach an age, you think	
13	A. He never mentioned citizenship to me.		13	you're always 20 years of age, these kind of	
14	Q. He never mentioned citizenship to you,		14	remarks.	
15	okay.		15	Q. Okay. And about how often did he make	
16	A. He was talking about my citizenship,		16	these kinds of remarks after September 15, 2005?	
17	becoming American.		17	A. Counsel, I did not count. I understand.	
18	Q. Are you aware that Mr. D'Iorio is		18	I don't know how many times.	
19	interested in becoming an American citizen?		19	Q. Was it more than 10?	
20	A. I heard yesterday --		20	A. I told you more than 10, yes.	
21	MR. KOCIAN: Objection.		21	Q. More than 20?	
22	A. -- that Mr. D'Iorio said that he was		22	A. No. I don't know.	
23	interested in becoming a permanent resident of the		23	Q. Did you complain about Mr. Libutti's	
24	United States. I did not hear citizen.		24	remarks about your disability, sexual orientation,	
25	Q. Finally, how many times did Mr. Libutti		25	age or citizenship to anybody in Rome after	

30 (Pages 300 to 303)

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